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20 **UNITED STATES DISTRICT COURT**
21 **NORTHERN DISTRICT OF CALIFORNIA**
22 **(SAN FRANCISCO DIVISION)**

23 WALTER SPURLOCK and ANDRE
24 GUIBERT,
Plaintiffs,

v.

25 CITY AND COUNTY OF SAN
26 FRANCISCO, AIRPORT COMMISSION OF
27 THE CITY AND COUNTY OF SAN
28 FRANCISCO, KEABOKA MOLWANE in
29 his individual capacity and official capacity as
30 Aviation Security and Regulatory Compliance
31 Officer at the San Francisco International
32 Airport, and JEFF LITTLEFIELD in his
33 individual capacity and official capacity as
34 Chief Operating Officer at San Francisco
35 International Airport,

Defendants.

Case No. 3:23-cv-4429
Jury Trial Demanded

**DECLARATION OF SAMUEL A.
SEHAM IN SUPPORT OF PLAINTIFFS'
ADMINISTRATIVE MOTION TO
CONSIDER WHETHER PORTIONS OF
PLAINTIFFS' RESPONSE SHOULD BE
SEALED**

Action Filed: August 28, 2023

**DECLARATION IN SUPPORT OF PLAINTIFFS' ADMINISTRATIVE MOTION TO
CONSIDER WHETHER PORTIONS OF PLAINTIFFS' RESPONSE SHOULD BE
SEALED**

1. I am an associate at Seham, Seham, Meltz & Petersen, LLP, 199 Main Street, White Plains, NY (10601), and counsel for Plaintiffs Walter Spurlock and Andre Guibert. I have personal knowledge of the facts stated herein and, if called upon, I could and would testify competently thereto under oath.

2. Pursuant to Civil Local Rule 79-5(c)(1), I respectfully submit this statement in support of Plaintiffs' Administrative Motion to Consider Whether Portions of Plaintiffs' Response Should Be Sealed. I have personal knowledge of the facts stated herein and, if called upon, I could and would testify competently thereto under oath.

3. The decision to seal records is left to the discretion of the district court. *Hagestad v. Tragesser*, 49 F.3d 1430, 1434 (9th Cir. 1995) (citing *Nixon v. Warner Communications, Inc.*, 435 U.S. 589, 599 (1978)). Courts apply a "compelling reasons" standard, especially when considering motions to seal documents related to the parties' pleadings. *See Pintos v. Pac. Creditors Ass'n*, 605 F.3d 665, 678 (9th Cir. 2010) (quoting *Kamakana v. City & Cty. of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006)); *Pardi v. Tricida, Inc.*, No. 21-cv-00076-HSG, 2023 U.S. Dist. LEXIS 168633, at *6 (N.D. Cal. Sep. 21, 2023) (collecting cases). "This standard derives from the common law right 'to inspect and copy public records and documents, including judicial records and documents.'" *Id.* (quoting *Kamakana*, 447 F.3d at 1178). "[A] strong presumption in favor of access is the starting point." *Kamakana*, 447 F.3d at 1178 (quotations omitted). *Green Renewable Organic & Water Holdings, LLC v. Bloomfield Invs., LLC*, No. 21-cv-07181-HSG, 2023 U.S. Dist. LEXIS 200954, at *1-2 (N.D. Cal. Nov. 8, 2023)

Executed in White Plains, New York on March 15, 2024.

By: /s/ Samuel A. Seham